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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,788	08/21/2001	Josephus Arnoldus Henricus Maria Kahlman	NL010233	6726

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EXAMINER

SHIBRU, HELEN

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/933,788

Applicant(s)

KAHLMAN ET AL.

Examiner

HELEN SHIBRU

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-14, 16-19 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-14, 16-19 and 21-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendments, filed 03/13/2006, have been entered and made of record. Claims 4, 15, and 20 are cancelled. Claims 1-3, 5-14, 16-19, and 21-24 are pending. In view of the Applicant's amendment, the objection to the drawing is hereby withdrawn.

Response to Arguments

2. Applicant's arguments with respect to claims 1-3, 5-14, 16-19, and 21-24 have been considered but they are not persuasive and are moot in view of the new ground(s) of rejection.

In response to applicant's argument that the reference fails to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., In re page 12 Applicant states that " However, there is no disclosure that the method/means for effecting the lower and higher transmission bands are used at the same time.") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In Applicant argument in regard to claim 8, it should be noted that the range of the radio frequency, which IEEE dictionary defined it to be from 10KHz to 100MHz, and optical frequency that can have a longer wavelength up to 700nm are not recited in the claims. It is also noted that the range of radio frequency in the instant Application summary is 0.5-2GHz and the range of optical frequency is up to 375THz. Further Ono discloses, as Applicant agrees in page 13, higher or lower frequency bands that indicates the reference can have two channels. Although the claims are interpreted in light of the specification, limitations from the specification

are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5-7, 9-14, 16-19, and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono (EP 0 996 124 A1) in view of O'Connor (US Pat. No. 5,790,489).

Regarding claim 1, Ono discloses a record carrier (see fig. 3 disk (1)) having a first area (see fig. 3 recording medium (2)) for storing information (see col. 6 lines 41-46 and col. 7 lines 26-36), and a second area (see fig. 3 memory (3), receiver (10), transmitter (11)), the second area comprising an integrated circuit (see col. 6 lines 41-46 and col. 7 lines 30-32)), characterized in that the integrated circuit comprises, integrated therein transmitting means (see fig. 3 communication circuit) for transmitting additional information (see col. 6 line 41-col. 7 line 3, col. 10 lines 11-16 and line 56-col. 11 line 10 the transmitter (29) and transmitter receiver in addition to the main information); and receiving means (see fig. 3 transmitter receiver (30) and power supply circuit (28)) for receiving a power supply signal for supplying power to the integrated circuit (see col. 7 lines 4-15, lines 48-54, col. 10 lines 16-21 and line 56-col. 11 line 11 and col. 11 lines 32-57), the integrated circuit comprises means for generating a first communication channel operating a first frequency, and means generating a second

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communication channel operating second frequency, the first frequency being substantially unequal to the second frequency (see col. 7 lines 55-col. 8 line 58 and fig. 4 and 5).

Claim 1 differs from Ono in that the claim further requires the receiving means comprising a light-sensitive sensor, for example, a photodiode.

In the same field of endeavor O'Connor teaches a compact disk include a processor and a transmission element under control of the processor. O'Connor further discloses a track (200 in fig. 2) can be placed in to the hub area of the CD (see fig. 1 hub (103) and the track includes a processor, a photosensitive charging array, charge storage element and transmission element (see col. 2 lines 48-67). O'Connor further discloses a laser diode (see fig. 3 laser diode (301) emits a beam which passes through beam splitter (see col. 3 lines 21-25), and the read beam may used to charge the charging array (see col. 3 lines 25-34). O'Connor further discloses an information signal which is one of a decryption key and a filter key (see claim 14). O'Connor further discloses the information signal can be retrieved by timing the existence of charging the current coming from the charging array (see col. 5 lines 38-55). O'Connor further discloses the CD cannot be duplicated in normal fashion as the copy will not have the hardware required to deliver the decryption key (see col. 5 line 65-col. 6 line 9). Therefore in light of the teaching in O'Connor it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ono by providing a light sensitive sensor in order to protect copy.

Regarding claim 2, Ono discloses the receiving means are also adapted to receive additional information (see col. 6 lines 41-46, col. 7 lines 26-36 and col. 10 lines 11-21).

Regarding claim 3, Ono discloses the integrated circuits contactlessly readable (see fig. 2 and col. 5 line 41-col. 7 line 9).

Claim 5 is rejected for the same reason as discussed in claim 1 above.

Regarding claim 6, Ono discloses the integrated circuit comprises a memory in which the additional information is stored (see col. 6 lines 41-58).

Regarding claim 7, Ono discloses the record carrier is a pre-recorded record carrier (see col. 1 lines 53-57 and col. 7 lines 26-32).

Method claims 9-10 are rejected for the same reason as discussed in the apparatus claims 1-2 respectively.

Regarding claims 11, 12, and 19 the limitations of claims 11, 12, and 19 can be found in apparatus claim 1. Therefore claims 11, 12, and 19 are analyzed and rejected for the same reason as discussed in claim 1 above.

Claims 13-14 are rejected for the same reasons as discussed in claims 1, and 2-3.

Claim 16 is rejected for the same reason as discussed in claim 1 above.

Regarding claim 17, Ono discloses the first communication channel is adapted for supplying power to the integrated circuit and for data transmission (see col. 8 lines 19-40).

Claim 18 is rejected for the same reason as discussed in claim 5 above.

Claim 21, 22, and 23 are rejected for the same reason as discussed in claim 1 above.

Claim 24 is rejected for the same reason as discussed in claim 2 above.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ono (EP 0 996 124 A1) in view of O'Connor (US Pat. No. 5,790,489) and further in view of Blake (US Pat. No. 5,327,213).

Regarding claim 8, Ono discloses depending on the band of the signals transmitted to the electromagnetic coupling for control information transfer and power supply. Ono further

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discloses in the case of setting a lower transmission band it is necessary to have a larger inductance. O'Connor also discloses if LED used, which require more power, the diode will emit a beam with a wavelength close to or exactly the wavelength of the read beam (see col. 5 lines 10-23 of O'Connor).

In the same field of endeavor Blake discloses two couplings an electromagnetic coupling and optical coupling wherein the optical coupling is provided by end of coiled optical fiber (see claims 1, 2, and 9).

Therefore in light of the teaching in Blake it would have been obvious to further modify Ono and O'Connor at the time the invention was made to transmit two channel signals by providing the coupling technique in order to control errors.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dent et al. (US Pat. No. 6,768,900) discloses two channels with different frequencies.

Young et al. (US Pat. No. 6,434,644) discloses IR receiver.

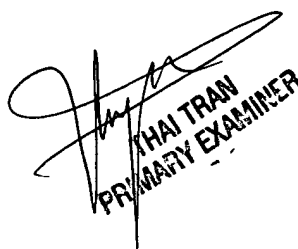
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Helen Shibru
March 30, 2006



THAI TRAN
PRIMARY EXAMINER